

# Group Living Text Amendment

Denver City Council  
Land Use, Transportation and Infrastructure Committee  
September 1, 2020



# Why is CPD proposing these changes?

- **Implementing Adopted City Goals**
  - ✓ Equitable, affordable and inclusive housing for all
  - ✓ Pursuing a more equitable approach for locating residential care uses
- **Addressing identified problems with the Denver Zoning Code**
  - ✓ Outdated or unclear language
  - ✓ Regulations that prohibit needed residential care facilities or keep people from seeking flexible housing options
  - ✓ Unpredictable permitting and notification requirements
- **Emergent Needs**
  - ✓ The issues being addressed by this project have become even more urgent in the wake of the pandemic, job losses that are leading to a wave of evictions, the forthcoming loss of our existing community corrections resources, and our country's long-overdue awakening to issues of equity.

# Equity: Blueprint Denver and Comprehensive Plan 2040

*“Equity means everyone, regardless of who they are or where they are from, has the opportunity to thrive. Where there is equity, a person’s identity does not determine their outcome”*

- **Improve access to opportunity**
  - Flexible housing in “complete” neighborhoods
  - Make neighborhoods accessible to people of all ages and abilities
- **Reduce vulnerability to displacement**
  - Allow people to live with “chosen” family or share housing.
  - Avoid incentivizing investor acquisition of houses
  - Increase housing options for Denver’s most vulnerable populations
- **Expand Housing and Jobs Diversity**
  - Support housing as a continuum to serve residents across a range of incomes, ages and needs
  - Allow more unrelated people to live as a housekeeping unit in any home
  - Expand places where residential care providers can serve Denver’s most vulnerable residents





# Equity: Household Regulations and the definition of “family”

Single-Unit (“Detached”) house regulations have grown more restrictive over time...

**1925:** “any number of individuals living together in a single housekeeping unit, and doing their cooking on the premises.”

- When Denver first adopted zoning, the city did not regulate who could live in a house.



**1954:** “one individual or group of two (2) or more persons related by blood or marriage living together as a single housekeeping unit and doing their cooking on the premises as distinguished from a group occupying a boarding house, lodging house...”

- By 1954, that language had evolved to prohibit unrelated people, including LGBTQ and interracial couples, who were not legally allowed to marry in Colorado at this time.

# Equity: Household Regulations and the definition of “family”

Single-Unit (“Detached”) house regulations have grown more restrictive over time (cont.)...

**1968:** “husband, wife, mother, father, grandmother, grandfather, son, daughter, sister, brother, stepson, stepdaughter, stepsister, stepbrother, stepmother, stepfather, grandson, granddaughter, mother-in-law, father-in-law, brother-in-law, sister-in-law, daughter-in-law, son-in-law, uncle, aunt, nephew, or niece, plus domestic servants employed for services on the premises”

- By the late 1960s, zoning was even more specific about who can be considered a “family”

**1989:** “A husband and wife or 2 or Fewer Unrelated Individuals,” with other relatives.

- This vote toward more inclusive housing just barely passed - City Council voted 7 to 6 to permit two unrelated people for the first time since the 1950s

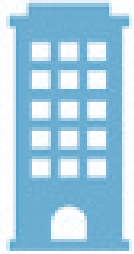
**2018:** “Two Partners or Two Unrelated Adults,” with other relatives from the existing list

- Updated in 2018 to be gender-neutral



# Equity: Household Regulations and the definition of “family”

...While multi-unit regulations have remained less restrictive.



**1925:** “any number of individuals living together in a single housekeeping unit, and doing their cooking on the premises.”

- When Denver first adopted zoning, the city did not regulate who could live in a house.

**1954:** “5 or fewer unrelated individuals,” plus relatives to each (reduced to 4 in 1982).

- By 1954, zoning only permitted people who were related to each other to live together in single unit houses, while multi-unit houses (duplexes, apartments, condominiums), typically smaller units in denser areas of the city, were permitted to house more unrelated adults.
- Redlining practices pushed rental units in Black and brown neighborhoods
- Today, Black and Latinx neighborhoods account for 72% of Denver households with 5 or more adults.

# Equity: Household Regulations and the definition of “family”

Where can non-traditional families, families sharing housing or unrelated people who choose to live together live legally?

- Approximately **340,000** households in Denver
  - ~134,000 households (about 39%) live in single-unit (typical detached) houses
    - Average House Size: 1,600 ft<sup>2</sup>
  - ~140,000 apartments
    - Average Apartment Size: 842 ft<sup>2</sup>
  - ~66,000 duplexes, condominiums and other types of housing

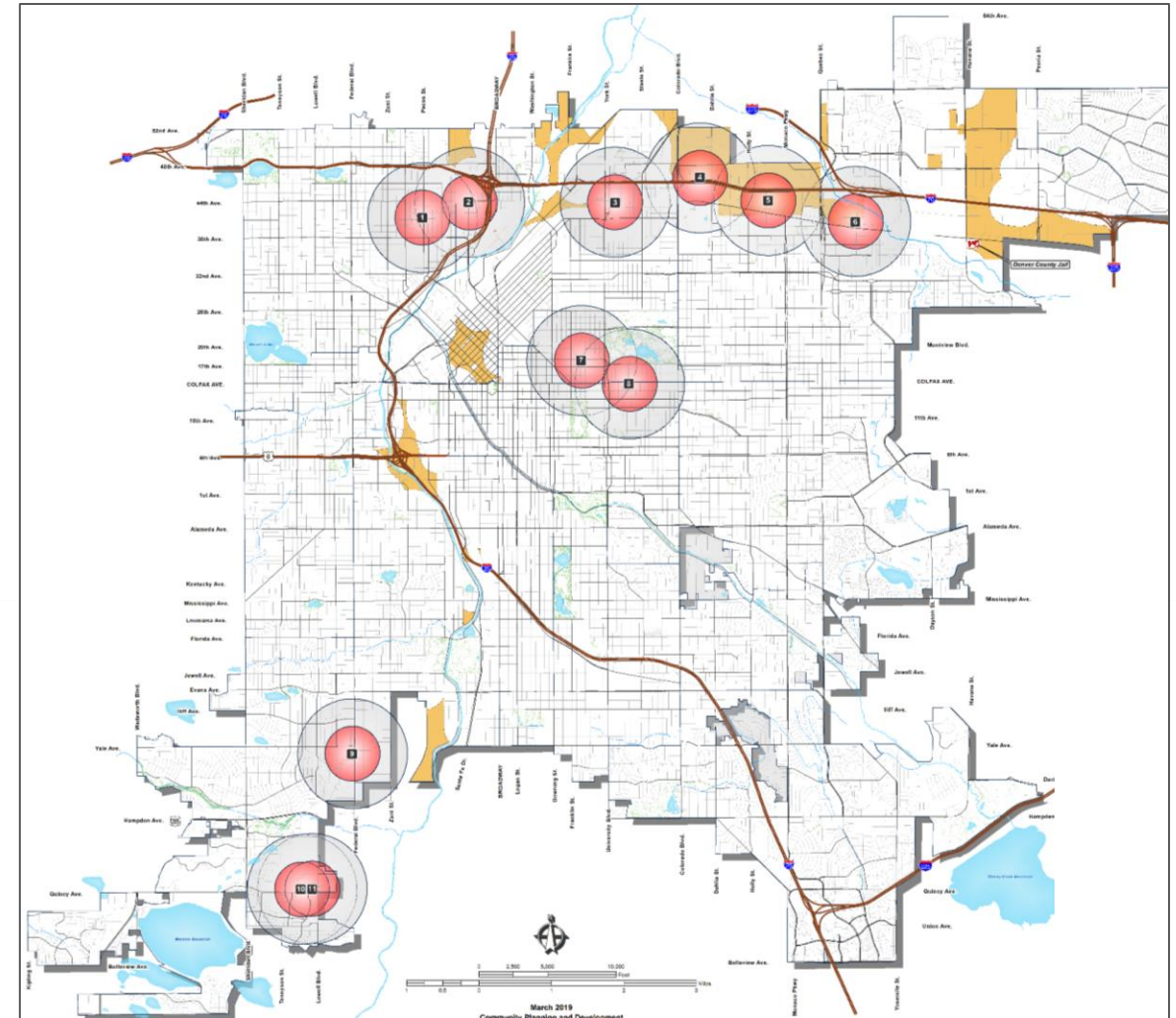
## Household Size in Denver

- Average Denver Household Size: 2.31 people
- Number of houses with 6 or more adults: 2%
- Percent of those households that are Black or Latinx: 80%

# Equity: Residential Care and exclusion of populations

## How does the Zoning Code exclude populations and services?

- Restricts uses deemed “undesirable” to locations adjacent to and within neighborhoods that were predominately non-white when these codes were initially written.
- Distant from transit, jobs, parks, groceries and services
- Arbitrary spacing and buffering requirements
- Permitting requirements that don’t work in practice, like oversight committees
- Current notification and permit process procedures like Zoning Permit with Informational Notice (or ZPIN) favor neighborhoods with most resources



Areas where Community Corrections facilities could currently be established

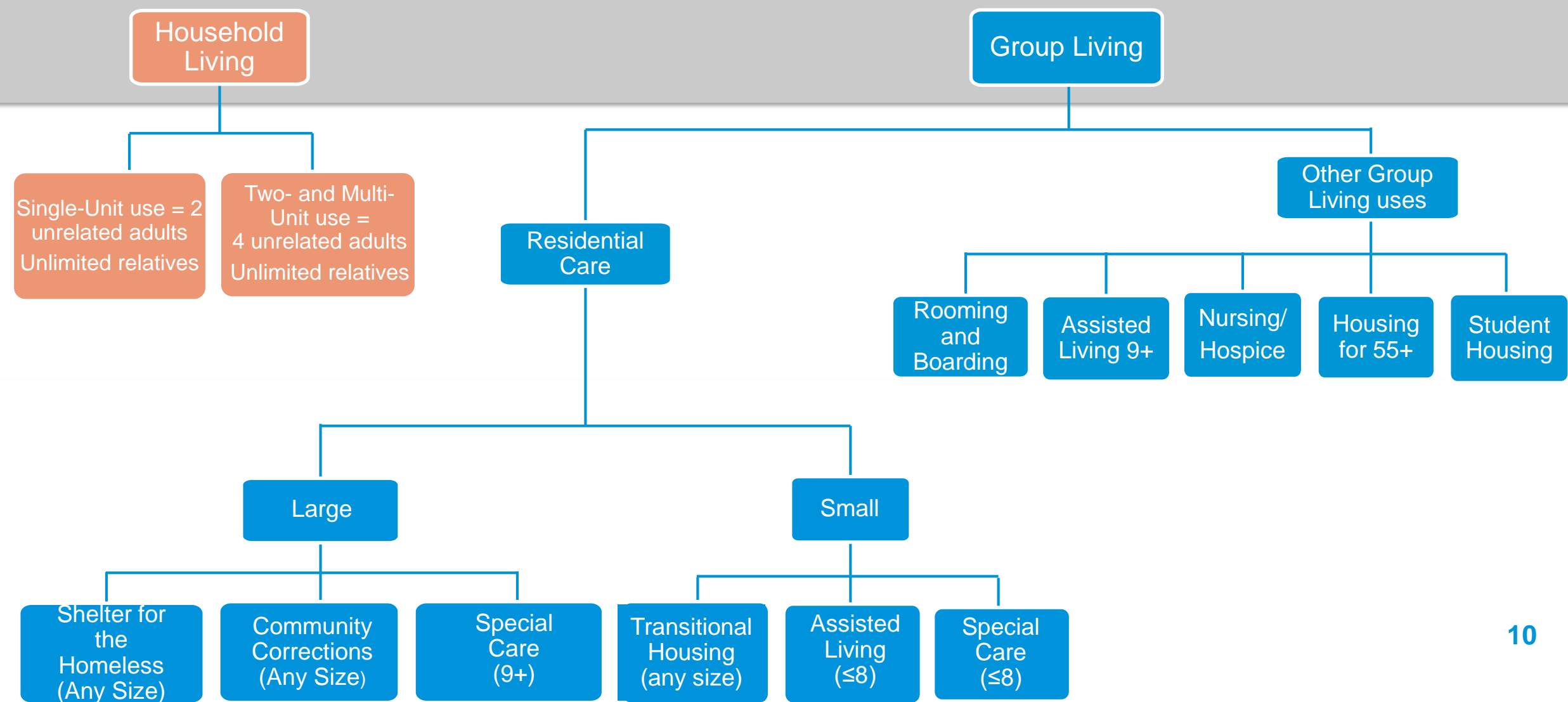


# Summary of proposed changes:



- Consolidate all uses where care is required into a single use type, Residential Care, and regulate by size, with spacing and density limitations for larger facilities.
- Allow all residential care uses in more places.
- Require community meeting prior to permit application for larger Residential Care facilities.
  - Planning Board also recommends for smaller-scale community corrections facilities
- Consolidate all uses with more people than allowed in a household, but where care is not required, into a single use type, Congregate Living.
  - Examples include dormitories, rooming and boarding and tiny home villages where residents may share facilities like kitchens, bathrooms and gathering areas.
  - Permitted in higher-intensity residential (e.g. MU, RO) and mixed-use commercial districts (e.g. MX, MS, CC)
- Allow more unrelated people to live as part of a household (in conventional dwelling units), while clarifying that rent-by-the-room configurations are only permitted as congregate living in zone districts where higher-intensity residential uses like apartments are allowed.

# CURRENT org-chart breakdown of Primary Residential Uses



# Proposed org-chart breakdown for Primary Residential Uses

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## Household Living

- Up to 5 unrelated adults living as a single, non-profit housekeeping unit
- Provisions for more adults in larger homes
- Unlimited relatives
- Permanent residency

### Examples:

- Conventional Housekeeping units of related people or groups of people who choose to live together
- Cooperative Housing
- Multigenerational housing
- Sober living of small groups where care is not required

## Congregate Living

- Housing for more people than would be permitted in a household
- Not living as a single housekeeping unit
- May have shared cooking, bathroom and common areas
- Permanent residency

### Examples:

- Rooming and Boarding
- Dormitory or Student Housing
- Permanent Tiny Home Village
- Single-Room Occupancy Housing
- Rent-by-the-room configurations

## Residential Care

- On-premises treatment, custodial supervision, emergency shelter, protective oversight or assistance required as a condition of residency
- Temporary to permanent residency

### Examples:

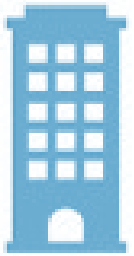
- Shelters
- sober living where care is required
- Community Corrections and Halfway Houses
- Solutions/Navigation Centers with residential component
- Assisted Living
- Nursing home or hospice
- Transitional Housing

# What would change? Current & Proposed Household Regulations

## Current



- Single-Unit use (typical detached house): **2 partners or unrelated adults**, unlimited family members of any age
- No off-street parking requirements



- Two- or multi-unit use (duplex, apartment, etc.): **4 unrelated adults**, unlimited family members of any age (from same list).
- Minimum off-street parking requirements

## Proposed



- Up to 5 adults of any relationship, with unlimited relatives to each, in any dwelling unit
- Provisions for more unrelated adults in larger dwelling units, to a maximum of 10
- Minimum off-street parking requirements for larger households in single-unit dwellings, and all two-unit and multi-unit dwellings.
- Prohibit rent-by-the-room configurations in low-intensity residential zones



# What would change? Current & Proposed Residential Care Regulations

## Current

- **Small:** 8 or fewer guests
  - 6,000 square-foot min. lot size
- **Large:** 9 or more guests
  - Building construction date requirements in SU, TU and RH zone districts
  - Cap of 20 guests in SU, TU and RH districts
  - 6,000 square-foot min. lot size
  - Spacing and Density requirements
- **Shelters and Community Corrections**
  - Additional buffers required from other uses
  - Additional limits on permitted zone districts



## Proposed

- **Type 1:** 10 or fewer guests, or up to 100 guests for no more than 130 days/year (an existing provision in the code)
- **Type 2:** 11 to 40 guests
  - 12,000 square-foot min. lot size in SU, TU, RH
  - Spacing requirements
- **Type 3:** 41 to 100 guests
  - Permitted only in higher-intensity zone districts
  - Spacing Requirements
- **Type 4:** 101+ guests
  - Permitted only in higher-intensity zone districts
  - Spacing and Density Requirements

# Process

March 2018 – May 2020	36 Group Living Advisory Committee meetings to define problem, identify and refine possible solutions. All meetings open to the public. Additional details and meeting summaries can be reviewed at <a href="http://www.denvergov.org/groupliving">www.denvergov.org/groupliving</a> .
March 2018 – present (ongoing)	46 public meetings and presentations to Registered Neighborhood Organizations, Inter-Neighborhood Cooperation (INC) and other community groups
August 14, 2018	Public open house held to review and discuss problem statements and seek public input
January 31, 2020	<b>City Council Briefing</b> (during annual retreat)
February 29, 2020	<b>Planning Board Informational Item</b>
February 11, 22, and 26, and March 4, 2020	Four public open houses in locations around the city to present proposed amendments, answer questions, and receive feedback
July 29, 2020	<b>Planning Board informational item</b>
August 3, 2020	CPD written notice of the Planning Board public hearing sent to all members of City Council and registered neighborhood organizations
August 19, 2020	<b>Planning Board Hearing</b> Unanimous Recommendation of Approval (9-0)

# Planning Board Recommendation

1. Request CPD report to Planning Board annually for four years on how well the amendment is achieving the intended goals and unintended consequences particularly in areas vulnerable to displacement. (9-0)
2. Recommend approval with a revision to require a community information meeting prior to application for a Residential Care Type 1 Community Correction Facility in SU, TU, and RH zone districts. (9-0)

# Outreach and Project Awareness

- 5 citywide community workshops attended by nearly 1,000 people
- 36 meetings with RNOs and other community organizations throughout the city
- 36 public meetings of the Group Living Advisory Committee and its subcommittees.
  - The committee had over 40 members representing stakeholders throughout Denver, including multiple RNOs across Denver and INC.
- 5 visits by the GLAC to community corrections facilities, shelters and other relevant group living sites
- Over 550 individual emails/comments received from the public and RNOs in 2020 alone and used to develop and revise our proposal
- 18 newsletters to promote group living public events and keep people updated as the project progressed.
- A dozen stories in traditional media outlets



Rhinocropolis site visit, 2018



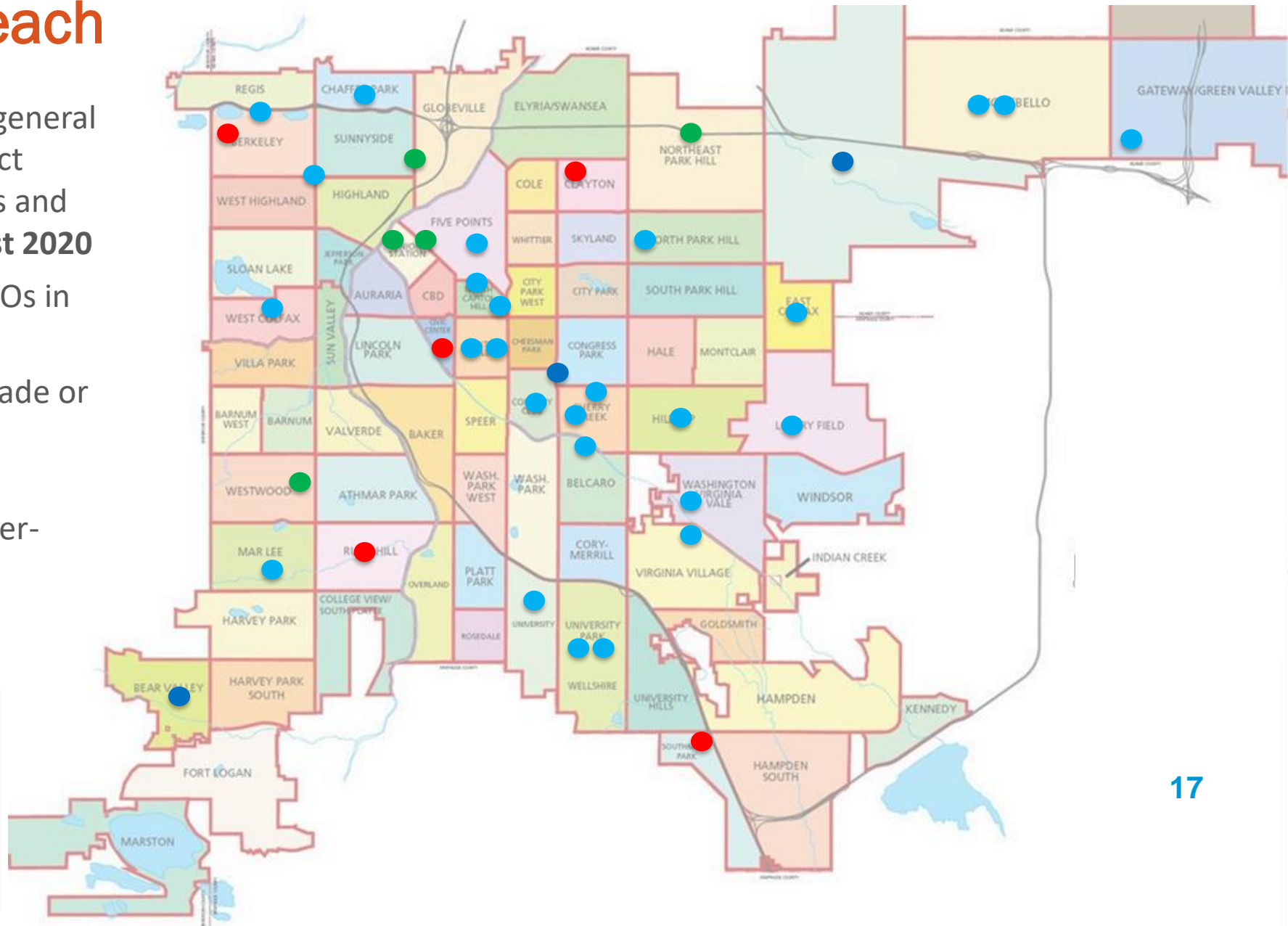
Problem Statement public open house, fall 2018



# Neighborhood Outreach

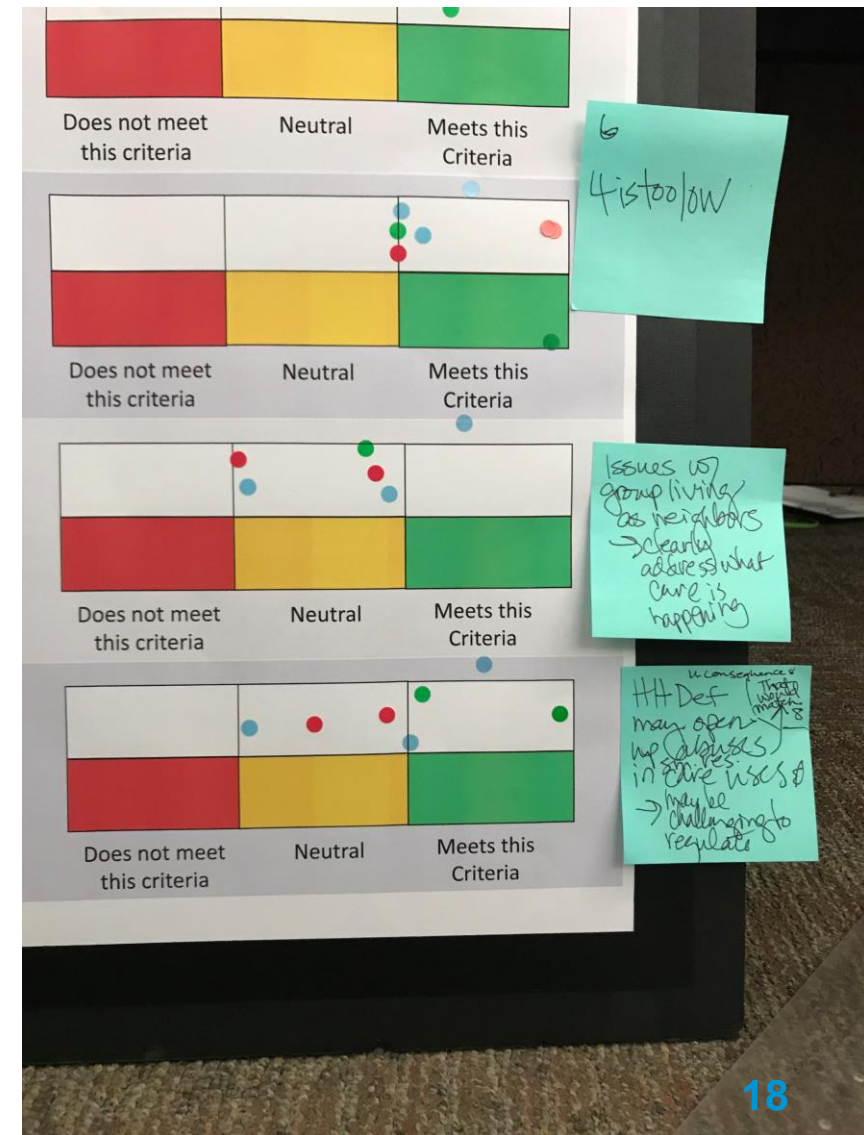
- 13 topic-specific newsletters and 8 general newsletters with Group Living project content sent to all Council Members and RNOs between **Feb 2018 and August 2020**
- Staff presentations offered to all RNOs in Spring 2020
- More than 25 RNO presentations made or scheduled
- Group Living Advisory Committee representation from 8 RNOs and Inter-Neighborhood Cooperation

- Public Open House
- RNO Meeting or Council District Presentation
- Upcoming Presentations
- Meeting or Site Visit



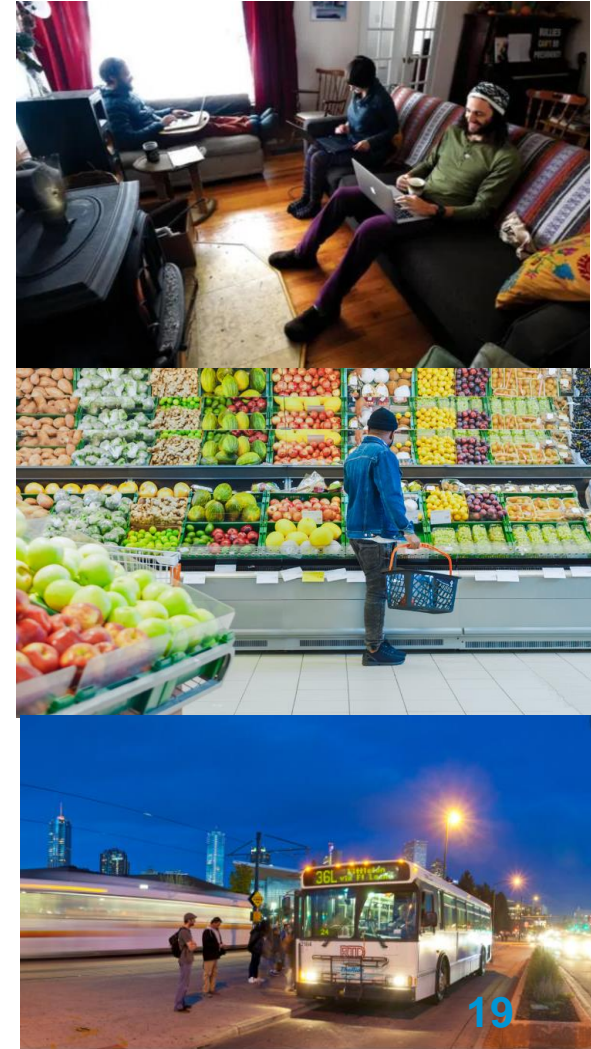
# Community Feedback

- More than 2,000 comments received since Feb 2020.
- Approximately 1,000 written comments on final proposals.
- Opinions expressed to date have been evenly divided.
  - Citizen-led Petitions and surveys
- Members of more than 20 Registered Neighborhood Organizations have voted to oppose these changes, including (but not limited to):
  - Lowry, Montbello, Cherry Creek, Country Club, Cranmer Park/Hilltop Civic Association, Country Club
- Some Registered Neighborhood Organizations, and many other community groups support, including (but not limited to):
  - Baker, Curtis Park, Chaffee Park, Capitol Hill United Neighbors
  - Denver Classroom Teachers Association; CO Center on Law and Policy, Interfaith Alliance of Colorado, East Colfax Community Collective, Enterprise Community Foundation, Mothers Advocate for Affordable Housing



# Support for proposed amendments

- **Social Justice:**
  - Moving away from exclusionary zoning practices
  - Equitable distribution of residential care throughout the city
  - Access to services, transit and community
- **Affordability:**
  - Sharing housing costs
- **Innovation:**
  - Cooperative Housing
  - Continuum of residential care and housing types on one site
  - Evolving models of residential care and housing
- **Personal choice and property rights:**
  - Surprise that Denver restricts who can live together



# Concerns Raised

## Household Size:

- Parking
- Maintenance
- Commercial “rent-by-the-room” uses and impact on property values
- Enforcement

## Community Corrections uses in neighborhoods:

- Safety
- Property values

## Responses to these concerns

- Changes to original proposal
- New off-street vehicle parking requirement for larger households.
- Strengthened definition language to clarify “non-profit household keeping unit”
- Existing regulations on lawn parking, work trucks, etc. would not change
- Consistent with overarching project goal of expanding available sites
- Zoning for future of service model evolution
- Dept of Safety requirement

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# Concerns Raised (cont.)

## Spacing for smallest Residential Care uses

- Concentration of facilities

## Larger Residential Care Uses in Single-unit neighborhoods

- Safety

## General property value impacts

- Proximity of residential care uses
- perception of rental units

## Responses to these concerns:

- Smallest facilities do not currently require spacing (those serving 11 or more guests do).
- Goals include removing barriers to distributed, smaller-scale facilities as alternative to large facilities that concentrate populations.
- These uses are a small fraction of all residences in Denver (~75 small residential care/transitional housing facilities, vs. ~380,000 total households)
- Non-zoning safety/security requirements
- Studies have found that residential care uses do not significantly impact property values
- Ensuring housing of all types

# Concerns Raised (cont.)

## Advisory Committee makeup

- Inclusion of provider representatives

## Project Scope

- Household and Residential Care updates in single amendment

## Responses to these concerns:

- Objective: broad range of perspectives and lived experiences to help us develop forward-thinking and fair zoning codes.
- Multiple RNO/neighborhood representatives
- City Council participation
- Public events sought broader perspectives
- GLAC process open to public, detailed records available
- Goal: simplify complicated, highly-interrelated regulations
- Relationship between different types of residential uses
- Holistic approach to housing of all types

# Changes made in response to community input, May 2020

Zoning Regulation	Current Provisions	Original Amendment Approach (From Feb. 2020 Proposals)	Updated Approach (as proposed to Planning Board)
Unrelated Adults in a Household	<ul style="list-style-type: none"> <li>2 (detached house)</li> <li>4 (duplex, condo, apartment, etc.)</li> </ul>	<ul style="list-style-type: none"> <li>8 adults (of any relationship) in any dwelling unit up to 1,600 ft<sup>2</sup></li> <li>Additional adults for every 200 additional ft<sup>2</sup>.</li> <li>No maximum.</li> </ul>	<ul style="list-style-type: none"> <li>5 unrelated adults in any dwelling unit.</li> <li>Additional unrelated adults for every 200 ft<sup>2</sup> over 1,600 ft<sup>2</sup>.</li> <li>Maximum of 10</li> </ul>
Permitted (adult) relatives in a Household	<ul style="list-style-type: none"> <li>Unlimited relatives to each permitted unrelated adult.</li> </ul>	<ul style="list-style-type: none"> <li>Total adults regulated by size, with no limit in larger houses.</li> <li>Ex: 3,500 ft<sup>2</sup> house: 17 adults (of any relationship) permitted</li> <li>Unlimited minor (&lt;18) relatives</li> </ul>	<ul style="list-style-type: none"> <li>Unlimited</li> <li>Ex: 3,500 ft<sup>2</sup> house: 10 unrelated adults permitted, with unlimited relatives to each permitted unrelated adult.</li> </ul>
Off-street parking for detached houses	<ul style="list-style-type: none"> <li>No requirement</li> <li>Permitted vehicles: 1 per driver plus one per household, with no limit.</li> </ul>	<ul style="list-style-type: none"> <li>No requirement</li> <li>Permitted vehicles: 1 per driver plus one per household, with no limit.</li> </ul>	<ul style="list-style-type: none"> <li>1 to 2 off-street vehicle spaces required for households with 6 or more adults (of any relationship).</li> <li>Maximum 6 vehicles on a zone lot per dwelling unit</li> </ul>
Residential Care Uses in low-intensity residential zone districts (single-unit, two-unit, row-house)	<ul style="list-style-type: none"> <li>Maximum of 20 guests</li> <li>Building constructed prior to 1993</li> </ul>	<ul style="list-style-type: none"> <li>Maximum of 40 guests</li> <li>1,200 feet of spacing required between facilities.</li> </ul>	<ul style="list-style-type: none"> <li>Maximum of 40 guests</li> <li>Minimum 12,000 ft<sup>2</sup> lot size</li> <li>1,200 feet of spacing required between facilities.</li> </ul>

# Review Criteria (DZC Sec. 12.4.11)

1. Consistency with Adopted Plans
  - Comprehensive Plan 2040 (2019)
  - Blueprint Denver (2019)
  - Housing an Inclusive Denver (2018)
2. Public Health, Safety and Welfare
3. Uniformity of District Regulations and Restrictions

Next Steps



# Next Steps

- Committee Discussion
- Committee Action
- Mayor-Council
- City Council First Reading
- City Council Public Hearing

## Questions?



# Additional Information

# Review Criteria (DZC Sec. 12.4.11)

1. Consistency with Adopted Plans
  - Comprehensive Plan 2040 (2019)
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3. Uniformity of District Regulations and Restrictions

# Comprehensive Plan



- Implements city policies for creation of complete range of housing option in every neighborhood
- Promotes programs to help individuals and families, especially those most vulnerable to displacement, access affordable housing
- Helps ensure that city regulations enable a range of flexible housing options to meet the needs of all residents



- Expanded outreach, meeting requirement helps strengthen trust and communication between the city and all neighborhoods
- Renter outreach, community information meeting requirement helps improve the engagement and representation of all Denverites, including communities of color, in neighborhood groups and city processes



# Blueprint Denver

- Ensures land use regulations “support modern and equitable approaches to housing options...”
- “...provide a more inclusive definition of households.”
- expands “the allowance of flexible and affordable housing types”
- Developed through “robust and inclusive community input process”
  - See slides 26-30 for process details



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# Blueprint Denver, continued

## Equity Concepts



- Expands opportunities for flexible, affordable housing of all types, citywide.
- Enables providers to increase the range of affordable housing options so that people of all incomes can live where they have access to health care, food and other daily needs.
- Allows people to choose how they want to live, without fear that housing is in violation of zoning.
- Allows for creative new and re-emerging housing types like single-room occupancy, tiny home villages, co-living and other unconventional approaches, subject to existing building and safety regulations.

# Housing an Inclusive Denver

- Implements policies and recommendations related to providing affordable, flexible housing; addressing homelessness and improving public outreach processes for various types of housing and residential care



# Review Criteria (DZC Sec. 12.4.11)

1. Consistency with Adopted Plans
  - Comprehensive Plan 2040 (2019)
  - Blueprint Denver (2019)
  - Housing an Inclusive Denver (2018)
2. Public Health, Safety and Welfare
  - Furthers public health safety and welfare by implementing adopted policies for enabling affordable and flexible housing for all populations, and by creating more predictable, transparent city processes.
3. Uniformity of District Regulations and Restrictions
  - Will result in processes and regulations residential uses that are uniform within each zone district in which this temporary use is allowed.

# List of presentations made

## 2018

1. Uptown Design Forum: Tue, May 29, 5:30 p.m.
2. Swallow Hill Neighborhood Association: Wed, July 18, 6:30 p.m.
3. Redline Denver: Tue, Oct. 9, 9 a.m.
4. Denver Commission on Cultural Affairs: Wed, Jul 10, 2 p.m.
5. Public Open House (Problem Statements): McNichols Civic Center Building, Tuesday, August 14, 2018, 5:30 p.m.

## 2019

6. Denver Homelessness and Housing Work Group: Mon, Feb. 4, 2:30 p.m.
7. Rocky Mountain Land Use Institute: Thur. March 7, 2:30 p.m.
8. Congregation Land Campaign: Tue., March 12, 1:30 p.m.
9. Colorado Coalition for the Homeless: Tue., April 16, 1 p.m.
10. Denver Homeless Leadership Council Tue, Aug. 20, 3 p.m.
11. INC Zoning and Planning: Sat, June 1, 9:30 a.m.
12. Chaffee Park RNO: Mon., June 10, 6:30 p.m. (Group Living and ADU discussion)
13. Colorado Health Symposium: Tue., July 17, 2 p.m.
14. Old San Rafael Neighborhood RNO: Tue., Sept. 10, 6 p.m.
15. Greater Capitol Hill RNO: Wed, Oct. 9, 6 p.m.
16. Dept. of Safety Community Corrections Advisory Group Mtg #1: Thur, Oct 10, 5:30 p.m.
17. Anti-Displacement Policy Network: Thur, Oct. 17, 2:30 p.m.
18. Dept. of Safety Community Corrections Advisory Group Mgt #2: Thur, Oct. 24, 5:30 p.m.
19. INC Zoning and Planning: Sat. Oct. 26, 9:30 a.m.
20. Capitol Hill United Neighbors: Wed, Nov. 13, 6:30 p.m.



# List of presentations made (cont.)

## 2020

21. Greater Park Hill CC: Thur, Jan 2, 6:30 p.m.
22. University Neighborhood RNO: Thur, Jan 9, 6 p.m.
23. West Area Plan Housing Resource Fair: Tue, Jan 14, 5:30 p.m.
24. Lowry Neighborhood: Wed. Jan 15, 6:30 p.m.
25. Cook Park RNO: Tue Jan 21, 6:30 p.m.
26. University Park RNO: Wed. Feb 5, 7 p.m.
27. Montbello 2020 RNO: Thur, Feb 6, 6 p.m.
28. INC Delegates: Sat. Feb 8, 10 a.m.
29. Public Open House (Proposed Amendments): Tuesday, Feb. 11, 6 p.m., Bruce Randolph Elementary School
30. East Colfax RNO: Tue, Feb 18, 6:30 p.m.
31. District 11 Town Hall (GVR): Thur, Feb 20, 5 p.m.
32. South Mar Lee, Brentwood and Sharon Park Neighbors: Thur, Feb. 20, 6 p.m.
33. Public Open House (Proposed Amendments): Saturday, Feb. 22, 9 a.m., Goldrick Elementary School
34. Public Open House (Proposed Amendments): Wednesday, Feb. 26, 6 p.m., Hebrew Educational Alliance
35. Public Open House (Proposed Amendments); Wednesday, March 4, 6 p.m., Scheitler Recreation Center
36. Denver Metro Association of Realtors: Fri., March 6, 10 a.m.
37. Cherry Creek East: Wed, April 29, 5 p.m.
38. Cherry Creek North: Tue, May 19, 6:30 p.m.
39. Miller Park RNO: Thu, May 28, 5:30 p.m.
40. Winston Downs: Tuesday, June 9, 7 p.m.
41. Capitol Hill United Neighbors: Thursday, June 18, 6 p.m.
42. Country Club HNA: Tuesday, July 14, 5:30 p.m.
43. Montbello 2020: Tuesday, July 21, 5 p.m.
44. East Colfax Neighborhood Association: Tuesday, July 21, 6:30 p.m.
45. Cranmer Park/Hilltop Neighborhood Association: Wednesday, July 22, 5:30 p.m.
46. University Park Community Coalition: Tuesday, August 4, 5:45 p.m.
47. Berkeley Regis United Neighbors, Tuesday, August 18, 6:45 p.m.

# Details: Community Information Meeting



- Staff provides Community Information Meeting
- Applicant notifies and holds meeting for neighbors
- May enter into private agreements (Good Neighbor, etc.)
- Applicant provides record of meeting and any applicable commitments or agreements
- Some commitments may be conditions of zoning permit

# Household Regulation Details: Unrelated Adults and Parking

Dwelling Unit Size (square feet of finished floor area)	Unrelated adults permitted
Less than 1,800	5 adults
1,800 to 1,999	6 adults
2,000 to 2,199	7 adults
2,200 to 2,399	8 adults
2,400 to 2,599	9 adults
2,600 or more	10 adults

Context	Parking required for single-unit dwelling Use with 6 or more adult residents (note: bicycle parking is not required)
Suburban	2 vehicle spaces
Urban Edge	2 vehicle spaces
Urban	1 vehicle spaces
General Urban	1 vehicle space
Urban Center	0 vehicle spaces CCN only: 1 vehicle space
Downtown	0 vehicle spaces
I (where applicable)	1 vehicle space
CMP (where permitted)	0 vehicle spaces
Master Planned	1 vehicle space

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# Household Regulation Details: Non-Profit Housekeeping Unit

## Non-Profit Housekeeping Unit.

A household comprised of people who live together as a family or as the functional equivalent of a family, and who share household activities and responsibilities, such as meals, chores, rent, and expenses. The choice of specific adults comprising the single non-profit housekeeping unit is determined by the members of such housekeeping unit rather than by a landlord, property manager, or other third party. Members of a single non-profit housekeeping unit are not required to seek services or care of any type as a condition of residency. All adult residents jointly occupy the entire premises of the dwelling unit.



# Proposed Residential Care Regulations

Resid. Care Size	Type 1	Type 2	Type 3	Type 4
Number of Guests	10 or fewer (365 days/year) or up to 100 for no more than 130 days/year	11-40	41-100	101+
Minimum Lot Size	NA	12,000 square feet	NA	NA
Permitted Zone Districts	All districts that permit residential uses	All districts that permit residential uses	<ul style="list-style-type: none"> <li>Higher-intensity zone districts that permit apartments, commercial uses, etc.</li> <li>Not permitted in single-unit, two-unit or rowhome districts</li> </ul>	<ul style="list-style-type: none"> <li>Highest-intensity zone districts that permit apartments, commercial uses, etc.</li> <li>Not permitted in single-unit, two-unit or rowhome districts, or in lower-intensity multi-unit districts</li> </ul>
Spacing Requirements	NA	<ul style="list-style-type: none"> <li>1,200' between facilities in single-unit, two-unit and rowhome districts when lot has not previously been used for a Civic, Public or Institutional Primary Use</li> </ul>	<ul style="list-style-type: none"> <li>1,200' between Type 3 and Type 4 facilities in medium-intensity districts like multi-unit.</li> <li>600' between Type 3 and Type 4 facilities in high-intensity districts like Urban Center</li> <li>400' between Type 3 and Type 4 facilities in some Downtown districts</li> </ul>	<ul style="list-style-type: none"> <li>1,200' between Type 3 and Type 4 in medium-intensity districts like multi-unit.</li> <li>600' between Type 3 and Type 4 in high-intensity districts like Urban Center</li> <li>400' between Type 3 and Type 4 in some Downtown districts</li> </ul>
Density Requirements	NA	NA	NA	No more than 3 Type 3 and Type 4 facilities within 1 mile of a proposed Type 4 Residential Care Facility
Community Information Meeting	Not required	Required in SU, TU, RH districts	Required	Required



# Residential Care Details: Parking

## Residential Care Parking Requirements:

- Vehicle: .5 spaces per 1,000 square feet of gross floor area (GFA) in most districts. .25/1,000 sf GFA in Urban Center. 0 in most Downtown districts.
- Bicycle: 1/8,000' GFA (Downtown, and descending thereafter)

**Example:** An Assisted Living Facility in the Urban Neighborhood Context with a building square footage of 25,000 (including a welcome center, community rooms, kitchens, etc.): **13 vehicle spaces**.

# Household Regulation Details: relatives

A non-profit housekeeping unit shall be comprised of up to 5 unrelated adults, plus additional adults per the table below, and any persons related to each unrelated adult by blood, marriage, civil union, committed partnership, adoption, or documented responsibility (such as foster care or guardianship)



# Proposed Congregate Living Regulations

- Congregate Living would be defined as any use where residents don't live in a self-contained dwelling unit, or who live in a conventional dwelling unit but do not have access to the entire dwelling, are on separate leases or exceed the number of adults permitted in a Household. Residents are not required to seek care or services as a condition of residency.
- This use includes, but is not limited to:
  - Rooming and boarding houses
  - Dormitories and other student housing
  - Tiny Home Villages
  - Single-room occupancy (SRO) housing
- As is currently the case for Rooming and Boarding Houses, dormitories and other uses currently identified in the code, Congregate Living would be permitted in zone districts that allow higher-intensity multi-unit housing, including:
  - Multi-Unit (MU)
  - Mixed Use (MX)
  - Main Street (MS)
  - Campus (CMP)

# Congregate Living Details: Parking

## Congregate Living Parking Requirements:

- Vehicle: 1 space/1,000 square feet of gross floor area (GFA) in most districts; .5/1,000 sf GFA in Urban Center, 0 in most Downtown districts.
- Bicycle: 1/4,000' GFA (D, descending thereafter)

**Example:** An Co-living development in the Urban Neighborhood Context with a building square footage of 25,000 (including shared living areas, bathrooms, community space.) serving 100 residents: **25 spaces**

# What other regulations apply?

The **Denver Building and Fire Code** ([link](#)) sets forth safety requirements like:

- Safe entry and escape from sleeping areas (such as “egress” windows in basement bedrooms.
- Interconnected alarms that “talk” to each other, alerting residents in all rooms of a fire.
- Fire suppression (such as sprinkler systems) in households with more than 10 adults.
- Structural standards to protect safety

The **Denver Rules and Regulations for Housing** ([link](#)) sets forth minimum standards for housing:

- Basic requirements of all housing (kitchens, bathrooms, etc.)
- Standards for ventilation, drainage and plumbing

The **Denver Revised Municipal Code** ([link](#) to Ch. 27, the Housing Code) provides additional standards and establishes policies and authority for enforcement:

- Maintenance responsibilities of owners and occupants
- Procedures for enforcement and remediation of unfit dwellings
- Regulations and enforcement procedures for excessive noise and other nuisance issues
- Regulations about use of public right-of-way, such as public streets



# What other regulations apply?

All Residential Care facilities require a review by Denver Building and Fire staff to ensure adequate access and emergency exit routes are provided, kitchens meet standards for safety and fire prevention/suppression and that adequate facilities, such as bathrooms and showers, are available for guests.

**Denver Building and Fire Code** ([link](#)) sets forth facility and safety requirements like:

- Safe entry and escape from sleeping areas
- Interconnected alarms that “talk” to each other, alerting residents in all rooms of a fire.
- Fire suppression (such as sprinkler systems) in most facilities
- Commercial-grade kitchen requirements, bathroom and shower facilities for larger Residential Care uses like shelters
- Structural standards to protect safety

**Denver Rules and Regulations for Housing** ([link](#)):

- Basic requirements of all housing (kitchens, bathrooms, etc.)
- Standards for ventilation, drainage and plumbing

**Denver Revised Municipal Code**

- **Housing Code** ([link](#) to Ch. 27, the Housing Code):
  - Maintenance responsibilities of owners and occupants
  - Procedures for enforcement and remediation of unfit dwellings.
- **Boarding home regulations** and licensing requirements ([link](#) to Ch. 26, boarding home and halfway house regulations):
  - Rules and regulations for Residential Care and Congregate Living uses like boarding houses, Assisted Living, etc.

# What other regulations apply?

All Residential Care facilities require a review by Denver Building and Fire staff to ensure adequate access and emergency exit routes are provided, kitchens meet standards for safety and fire prevention/suppression and that adequate facilities, such as bathrooms and showers, are available for guests. These other regulations apply as applicable to the specific applicant for a Residential Care Use:

**Denver Building and Fire Code** ([link](#)) sets forth facility and safety requirements like:

- Safe entry and escape from sleeping areas
- Interconnected alarms that “talk” to each other, alerting residents in all rooms of a fire.
- Fire suppression (such as sprinkler systems) in most facilities
- Commercial-grade kitchen requirements, bathroom and shower facilities for larger Residential Care uses like shelters
- Structural standards to protect safety

**Denver Rules and Regulations for Housing** ([link](#)):

- Basic requirements of all housing (kitchens, bathrooms, etc.)
- Standards for ventilation, drainage and plumbing

**Denver Revised Municipal Code**

- **Housing Code** ([link](#) to Ch. 27, the Housing Code):
  - Maintenance responsibilities of owners and occupants
  - Procedures for enforcement and remediation of unfit dwellings.
- **Boarding home and halfway house regulations** and licensing requirements ([link](#) to Ch. 26, boarding home and halfway house regulations):
  - Rules and regulations for Residential Care and Congregate Living uses like boarding houses, Assisted Living, etc.
  - Requirements for the placement and supervision of non-paroled individuals in halfway houses (Community Corrections)
    - [Link](#) to Sec. 26.16, Community Corrections regulations

**Colorado Standards and Statutes for Community Corrections** ([link](#)):

- Minimum space and facilities per guest
- Security and programs

**Colorado Group Home Statute** ([link](#))

- Provides zoning guidance and requirements for municipalities

**Colorado Licensing and Requirements**

- Community Residential Homes ([link](#))
- Nursing Homes ([link](#))

# What are the Building Code requirements for Residential Care facilities, like shelters?

Restrooms and bathing facilities/guest : Minimum number of plumbing fixtures. The residents of a emergency shelter shall be provided plumbing fixtures in the ratio of one water closet, one lavatory, and one shower or bathtub for each 10 residents.

Emergency exit requirements: A sleeping room intended to accommodate ten or more people shall be provided with two exit routes

## Fire Safety:

- Carbon monoxide (CO) detection and interconnected smoke alarms (that "talk" to a network of alarms in the same building) required in sleeping rooms.
- Fire suppression (sprinklers, kitchen stove hoods, etc.) required in many circumstances depending on size and design of facility

# What non-zoning requirements apply to Community Corrections, or "halfway houses?"

Operational Standards: The Colorado Division of Criminal Justice, in conjunction with the Denver Community Corrections Board, creates standards of operation (including staffing, supervision ratios, etc). These standards can be found in the Colorado Community Corrections Standards and Statutes, and the Denver Revised Municipal Code (see links on slide 30).

## These standards include:

- Facilities have to have a minimum of 2 security staff on duty at all times.
- Case managers have a maximum caseload ratio of 1:20.
- Minimum space and facility requirements per person served

## Oversight and Clientele Placement:

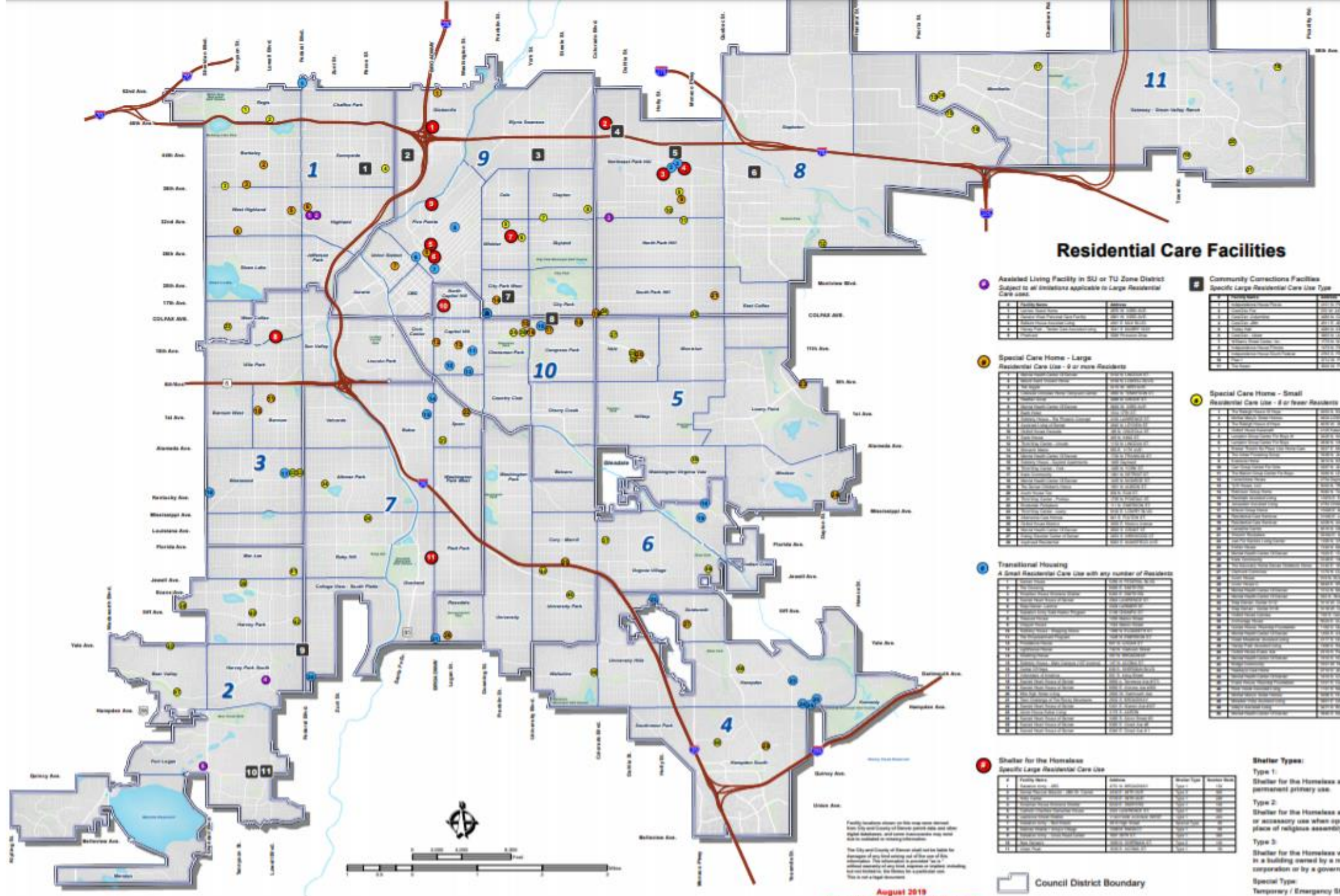
- These facilities are under strong oversight at the local and state levels.
- The Colorado Department of Corrections and the court have responsibility over the clientele in halfway houses.
- In addition, Denver's Department of Public Safety provides oversight, ensuring compliance with state regulations and local ordinances.
- Proposed zoning updates would require that all Residential Care facilities serving non-paroled individuals in Denver have a formal, written relationship with the Denver Dept. of Public Safety to ensure oversight.
- All clients placed in Denver facilities must be approved by the Denver Community Corrections Board and the local provider.
- While in placement, less than two percent of clients are terminated from the halfway house program for committing a new crime.

# Why change residential care regulations?

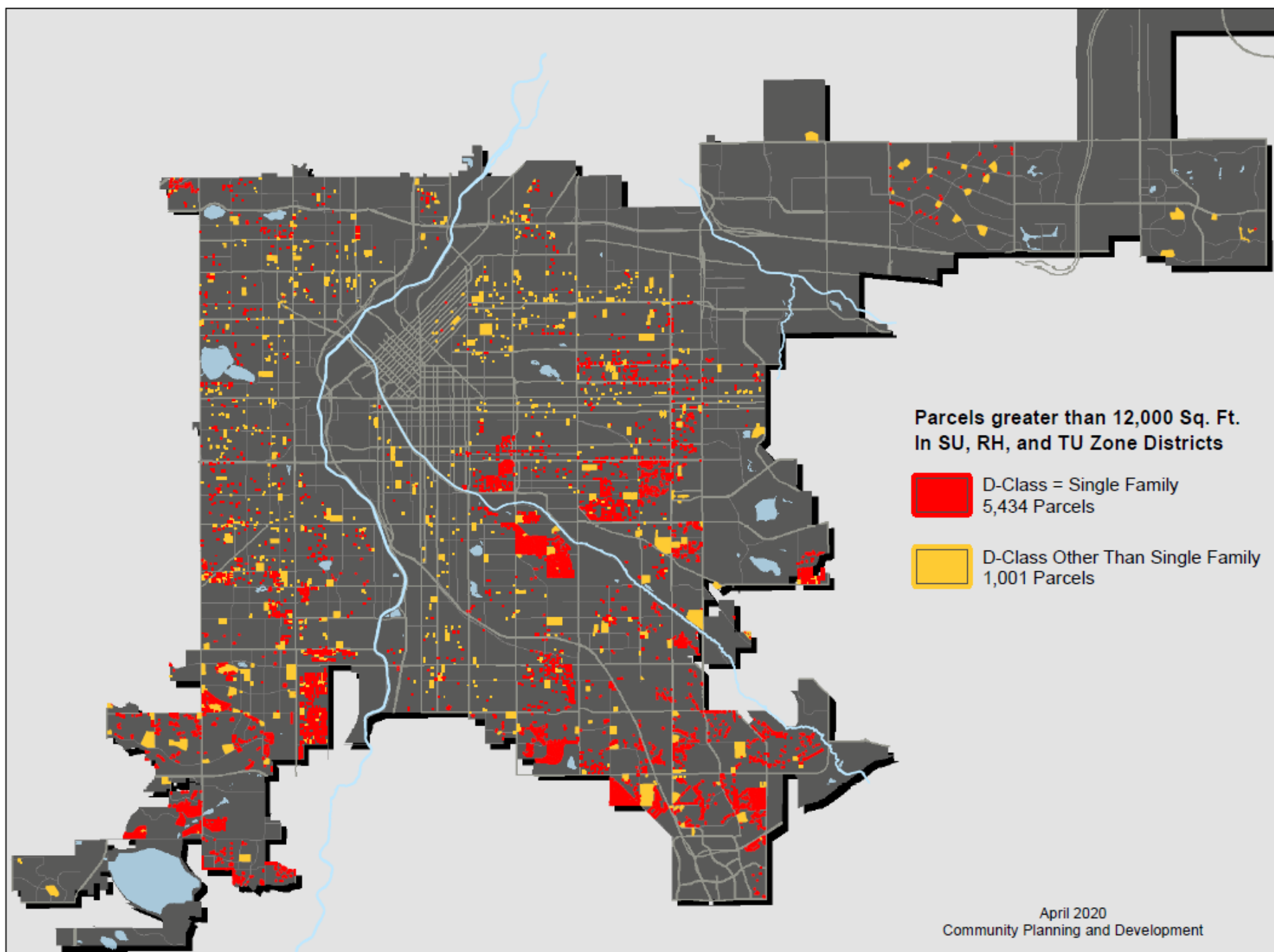
- The current regulations prevent establishment of needed residential facilities by limiting them to just a few areas of the city.
- Existing regulations treat some populations inequitably, such as people who are experiencing homelessness or in community corrections.
- Multiple amendments over the years have resulted in a layered, complicated set of regulations that is hard for applicants and neighbors to understand.
- Zoning regulations prevent some existing facilities from modernizing structures or expanding to meet demand.
- Current community notification requirements are confusing and ineffective.

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# Peer Cities Review: Unrelated Adults Allowed in Single Unit

2	3	4	5	6	8	Unlimited
Denver	Boulder	Aurora	Arvada	Austin, TX	Seattle, WA	Most California Cities
Englewood	Commerce City	Brighton	Castle Rock	Portland, OR	Vancouver, WA	Bend, OR
	Fort Collins	Golden	Colorado Springs	San Diego, CA*		
	Littleton	Northglenn	Lakewood	Spokane, WA		
	Loveland	Thornton	Longmont			
	Wheat Ridge	Westminster	Parker			
	Salt Lake City, UT	Las Vegas, NV	Unincorporated Adams Co.			
	Minneapolis, MN	*Boston, MA	Unincorporated Arapahoe Co			
		New Orleans, LA	Albuquerque, NM			
			Boise, ID			
			Kansas City, MO			
			Oklahoma City, OK			
			Phoenix, AZ			

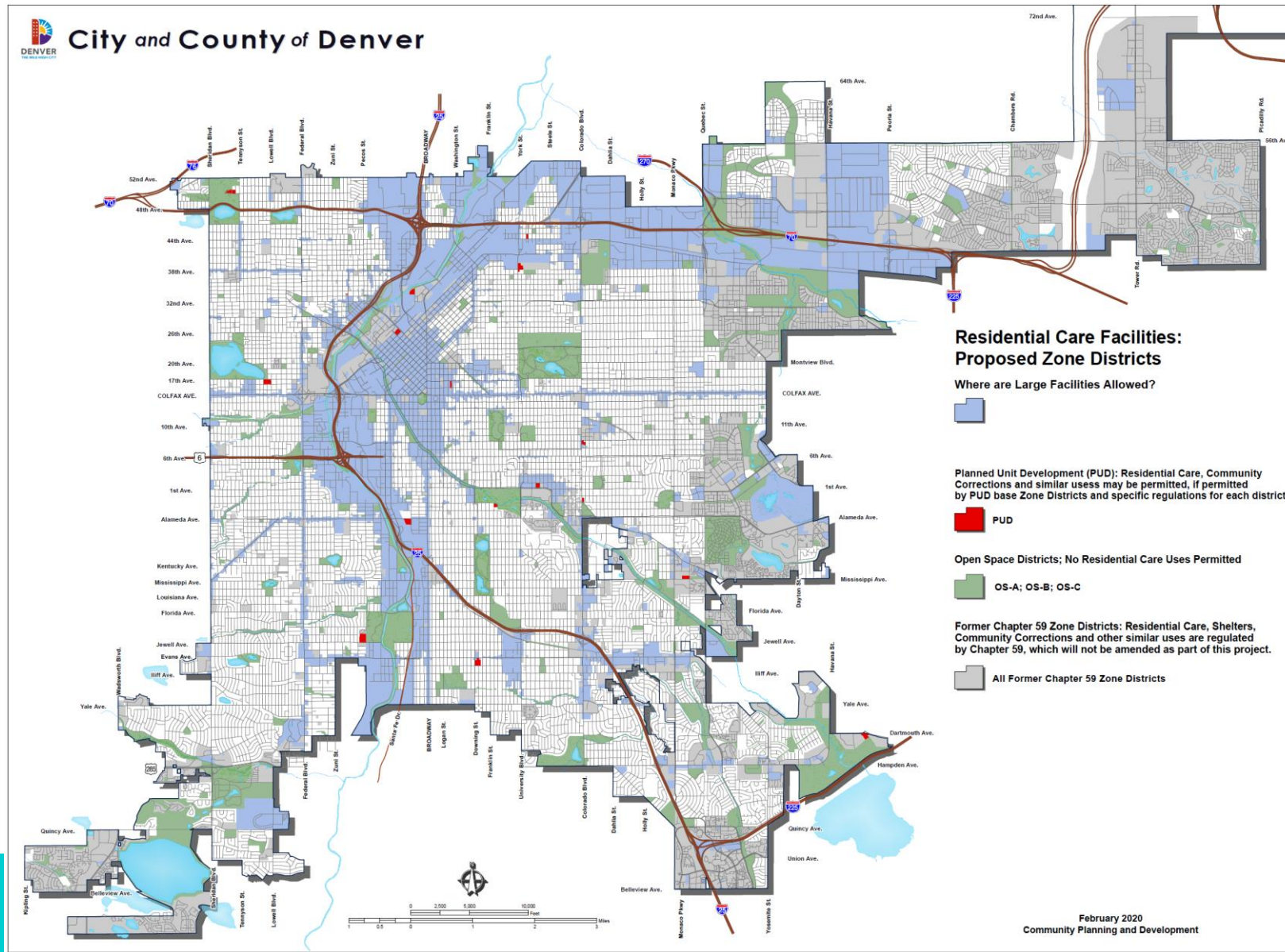
## Notes:

\*More under certain circumstances

All cities surveyed permit unlimited family members

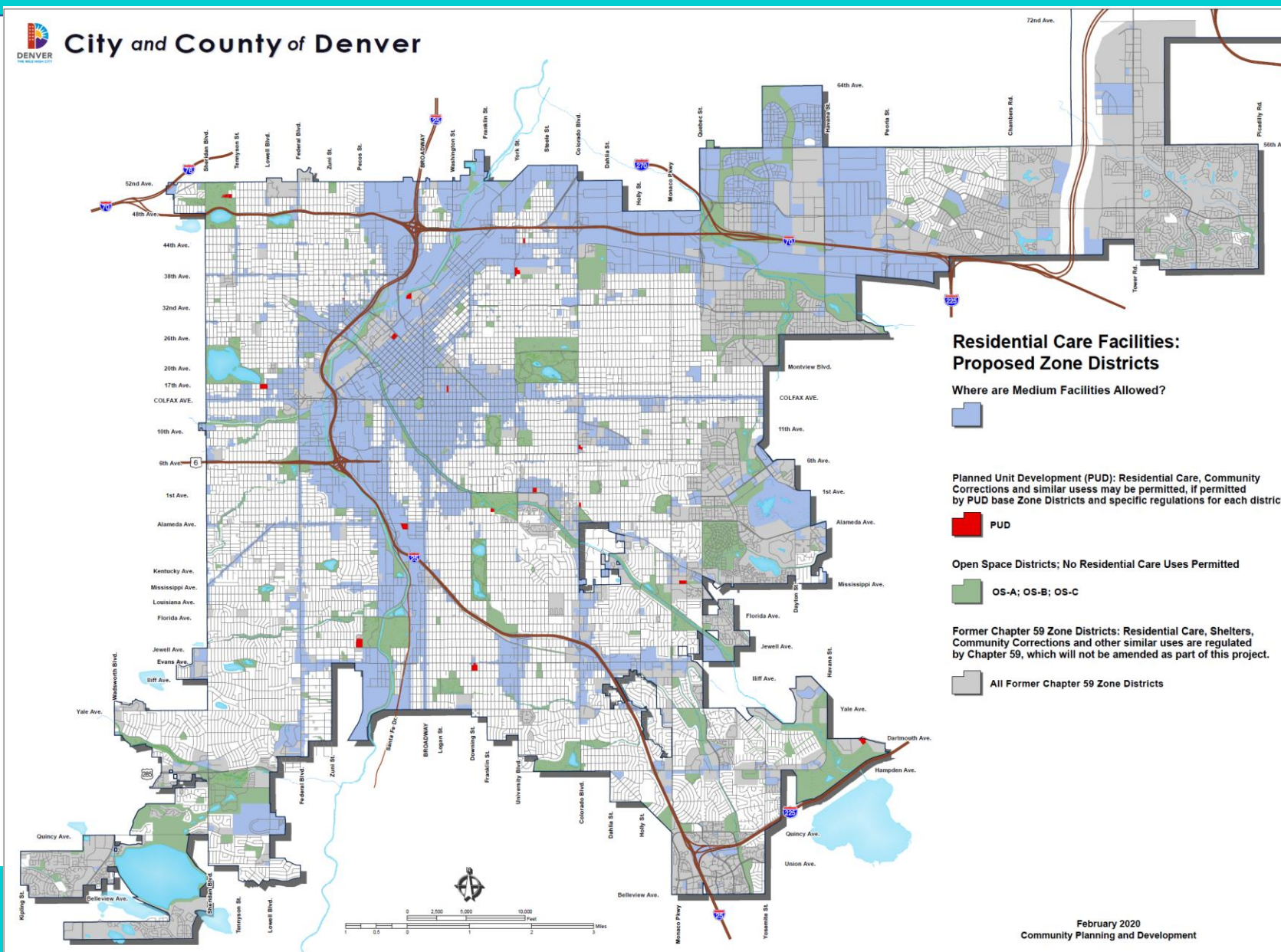
Nearly all regulated by Dwelling Unit

# Residential Care Facilities: Type 4 Permitted Zone Districts

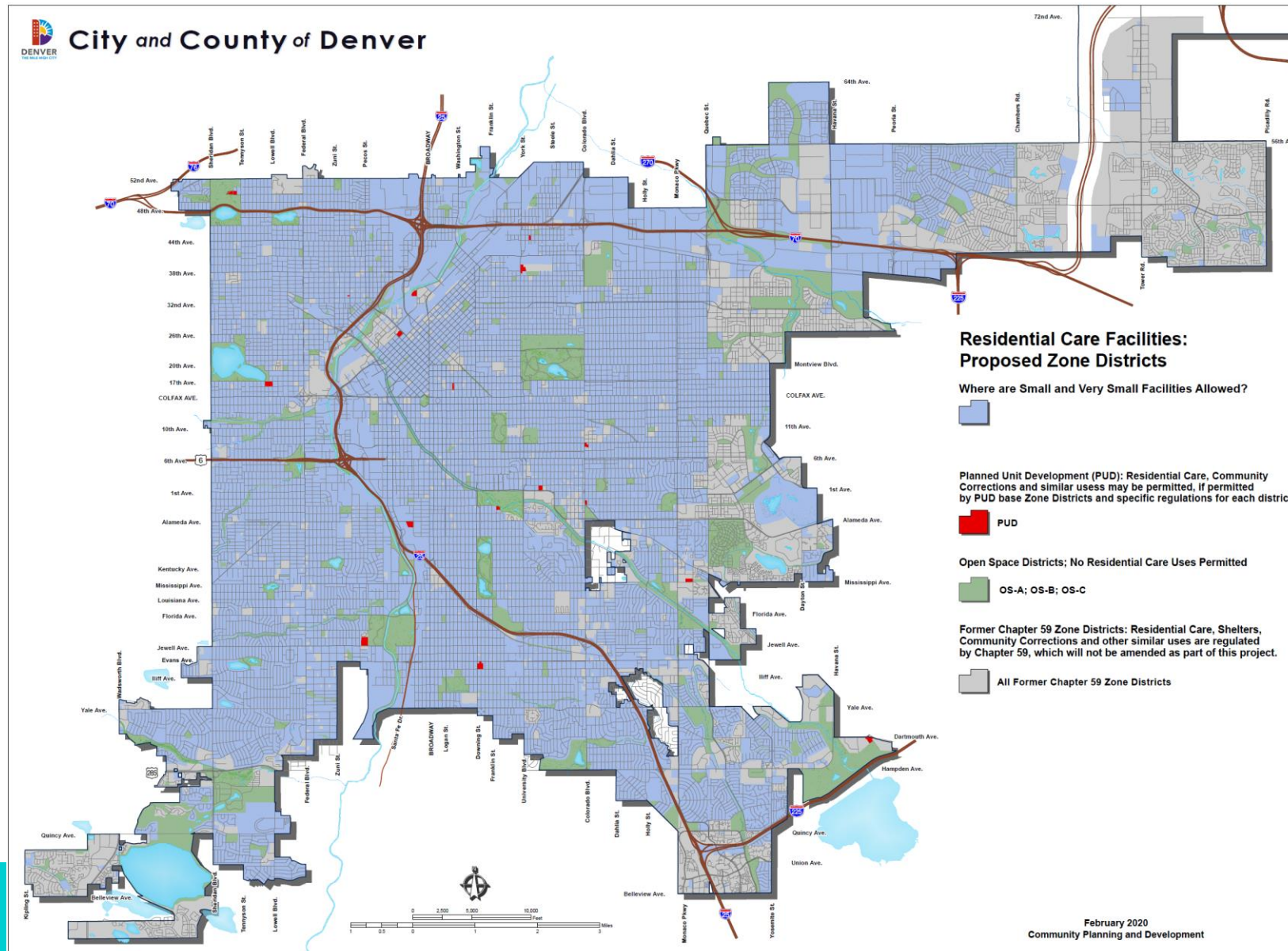




# Residential Care Facilities: Type 3 permitted Zone Districts



# Residential Care Facilities: Type 1 and 2 Permitted Zone Districts





# Newsletters sent to RNOs

Date	Topic	Headline
6/24/2018	Notice of first open house	Save the date: First community open house for Group Living Rules Update is August 14
8/27/2018	Recap of first open house	Great attendance, public input make Group Living open house a success!
5/21/2019	Update on Tiny Homes	Save the Date: Learn about tiny house villages rules update at June 5 meeting
6/12/2019	Notice of Tiny Homes amendment draft and Planning Board hearing	Public review draft available for tiny homes text amendment
8/20/2019	Notice of Tiny Homes amendment at LUTI	Temporary tiny home villages text amendment heads to LUTI committee
1/15/2020	Notice of proposal and open houses	Learn more about potential rules updates
2/4/2020	Open houses reminder, notice of FAQ document	Get answers to common questions
2/28/2020	Final open house reminder	Final open house and next steps
5/15/2020	GLAC final meeting notice	Committee to weigh proposal updates
5/22/2020	GLAC final meeting reminder	Reminder: Committee to weigh proposal updates next week
7/17/2020	Public review draft notice	Public Review Draft now available
8/7/2020	Planning Board hearing notice	Save the date: Planning Board Public Hearing
8/12/2020	Planning Board hearing participation instructions	Reminder: Planning Board Hearing in one week